

The Agency

Office of the Public Defender

Agency Operations

The Office of the Public Defender is statutorily mandated to represent indigent adults and juveniles who are charged with criminal offenses or who are in jeopardy of losing custody of their children to the State. Referrals come from the Supreme, Superior, District, and Family Courts. All who are financially eligible are assigned to a staff attorney for representation in the appropriate court.

The office carries out a single program: representation of indigents. Within this program are activities associated with adult and juvenile criminal matters, and with termination of parental rights and dependency and neglect petitions filed by the DCYF. The office offers appellate representation in the Rhode Island Supreme Court in those areas in which it offers trial level representation. Assisting the attorneys who deliver the primary service of the office is a support staff of social workers, investigators, interpreters, information technology staff, and clerical staff.

The Public Defender is appointed by the Governor with the advice and consent of the Senate for a six-year term.

Agency Objectives

To provide high quality representation to all indigents in criminal, juvenile and parental rights litigation, fulfilling the governmental obligation to provide effective assistance of counsel and to endeavor to secure fundamental fairness and due process to the indigent citizens of Rhode Island.

Statutory History

The Office of the Public Defender was created in 1941 by Chapter 1007 of the Rhode Island Public Laws. It was one of the earliest, and perhaps even the first, statewide Public Defender agencies in the Nation. Title 12, Chapter 15 of the Rhode Island General Laws defines the organization and functions of the agency, and mandates it to represent those who are without financial resources to retain private counsel. Title 14, Chapter 1 describes the referral process by the Family Court, and Title 40, Chapter 11 authorizes referral of dependency, neglect and termination of parental rights cases to the office by the Family Court.

The Budget

Office of the Public Defender

	FY 2004 Actual	FY 2005 Actual	FY 2006 Revised	FY 2007 Recommended
Expenditures By Object				
Personnel	6,175,117	6,665,522	7,896,974	8,245,633
Other State Operations	500,325	490,197	818,572	834,489
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	-	-	-	-
Subtotal: Operating Expenditures	\$6,675,442	\$7,155,719	\$8,715,546	\$9,080,122
Capital Improvements	-	-	-	-
Capital Debt Service	-	-	-	-
Total Expenditures	\$6,675,442	\$7,155,719	\$8,715,546	\$9,080,122
Expenditures By Funds				
General Revenue	6,291,199	6,871,288	8,449,477	8,944,421
Federal Funds	384,243	284,431	266,069	135,701
Total Expenditures	\$6,675,442	\$7,155,719	\$8,715,546	\$9,080,122
FTE Authorization	86.2	87.5	93.5	87.9
Agency Measures				
Minorities as a Percentage of the Workforce	14.0%	14.0%	12.0%	15.0%
Females as a Percentage of the Workforce	58.0%	60.0%	60.0%	60.0%
Persons with Disabilities as a Percentage of the Workforce	10.0%	10.0%	9.0%	9.0%
Program Measures				
Percentage by which Attorney Caseload Exceeds National Standards - Felonies	57.0%	56.0%	56.0%	56.0%
Percentage by which Attorney Caseload Exceeds National Standards - Misdemeanors	167.0%	300.0%	300.0%	300.0%
Average Percentage of the Continuing Legal Education Requirement Fulfilled with Public Defender Sponsored Courses (All Attorneys)	53.3%	71.0%	75.0%	75.0%